

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cr-00059-MOC-DCK

UNITED STATES OF AMERICA,

Vs.

OLEKSANDR KHARCHENKO,

Defendant.

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ORDER

THIS MATTER is before the Court on the joint Motion for Date Certain. Counsel indicate that they are ready for trial and would like the Court to set this matter for trial peremptorily beginning March 19, 2018.

As this matter is the oldest case on the docket, it will be the first case for trial during the March term, all in accordance with the long standing practice in this district. The jury will be selected on Tuesday, March 20, as the Court already has two evidentiary hearings set on March 19.

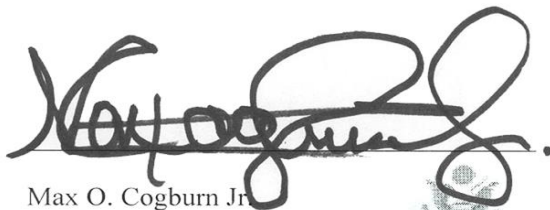
As to a “peremptory” setting, the undersigned disfavors such a designation as it sends the wrong message that this case and this case alone could be tried starting March 20. On multiple occasions, this Court has peremptorily set matters for trial only to have those cases settle at calendar call, leaving the Court with nothing to try during the term. Indeed, the same thing could occur here. Thus, to the extent that the parties seek a peremptory setting, that request will be denied; to the extent the parties seek an indication of when this matter will be tried, it will be tried starting March 20 as no other case is older. Such indication is not, however, a basis for

others to seek a continuance in advance of calendar call because if this case resolves, the Court will try the next oldest case that remains on the docket.

ORDER

IT IS, THEREFORE, ORDERED that the joint Motion for Date Certain (#176) is **DENIED**. The parties are advised that this is the first matter on for trial beginning March 20, 2018, as it is the oldest case on the docket.

Signed: February 15, 2018



Max O. Cogburn Jr.
United States District Judge